

PROB 12B  
(7/93)

FILED  
Clerk  
District Court

## United States District Court

MAR 27 2007

for

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

*the Northern Mariana Islands*

### Report for Modifying the Conditions or Term of Supervision with Consent of the Offender (Probation Form 49, Waiver of Hearings is Attached)

Name of Offender: **Juliet T. Macabenta**

Case Number: **CR 05-00006-001**

Name of Sentencing Judicial Officer: **Alex R. Munson**

Date of Original Sentence: **May 24, 2005**

Original Offense: **Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. § 371 & 1344(1).**

Original Sentence: **A two (2) year term of probation with conditions to include that she not commit another federal, state, or local crime; not unlawfully possess a controlled substance; refrain from unlawful use of a controlled substance; submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter; cooperate in the collection of DNA; comply with the standard conditions of supervision; prohibited from incurring new credit charges or opening additional lines of credit without approval of the probation officer, unless the defendant is in compliance with the payment schedule; provide the probation officer access to any requested financial information; perform 300 hours of community service; pay a \$100 special assessment fee; pay a \$500 fine; and pay \$988 in restitution to the Bank of Saipan.**

Type of Supervision: **Probation**

Date Supervision **May 24, 2005**

#### PETITIONING THE COURT

☒ To extend the term of supervision **1** years, for a total term **3** years.

☐ To modify the conditions of supervision as follows:

1. **That the defendant agrees to extend her term of probation for a period of one (1) year, or until the balance of 102 hours of community service is completed. Upon completion of her community service requirement, the defendant's term of probation shall be terminated.**

Report for Modifying the  
Conditions or Term of Supervision  
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CAUSE

On May 24, 2005, Ms. Macabenta began her term of probation. On June 10, 2005, she was referred to the Marianas Visitor's Authority (MVA) to perform her community service requirement. However, the placement was terminated on June 15, 2005 due to a change in leadership at the agency. She was unable to perform any community service hours at MVA.

On September 23, 2005, she was referred to the Department of Public Safety (DPS). From November 7-19, 2005, Ms. Macabenta performed 16 hours of community service on cleanup projects for DPS. Her placement with DPS was terminated on December 15, 2005 due to her transfer to the Rota Judicial Center.

From December 28, 2005 to July 15, 2006, Ms. Macabenta performed 148 hours of community service through maintenance work at the Rota Judicial Center. In May 2006, she was authorized to suspend her community service requirement due to her pregnancy with her third child, and subsequent delivery via caesarian section. From January 27, 2007 to March 9, 2007, Ms. Macabenta performed an additional 34 hours of community service. Her balance remains at 102 hours. It is unlikely that Ms. Macabenta will be able to complete her requirement prior to the expiration of her probation term on May 23, 2007.

Ms. Macabenta has completed all other special conditions required. Therefore, this Officer respectfully requests that the Court extend Ms. Macabenta's term of probation, pursuant to 18 U.S.C. § 3564(d) as follows:

"That the defendant agrees to extend her term of probation for a period of one (1) year, or until the balance of 102 hours of community service is completed. Upon completion of her community service requirement, the defendant's term of probation shall be terminated."

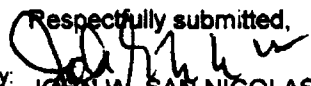
Attached is Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision, with Ms. Macabenta's consent to the extension.

Reviewed by:

  
ROSSANNA VILLAGOMEZ-AGUON

U.S. Probation Officer  
Supervision Unit Leader

Date: 3/23/07

Respectfully submitted,  
  
by: JOHN W. SAN NICOLAS II  
U.S. Probation Officer

Date: March 29, 2007

THE COURT ORDERS

- ☐ No Action
- ☒ The Extension of Supervision as Noted Above.
- ☐ The Modification of Conditions as Noted Above.
- ☐ Other:

  
HON. ALEX R. MUNSON  
Chief Judge  
District of the Northern Mariana Islands

3-27-06

Date

PROB 49  
(3/89)

## United States District Court

District Northern Mariana Islands

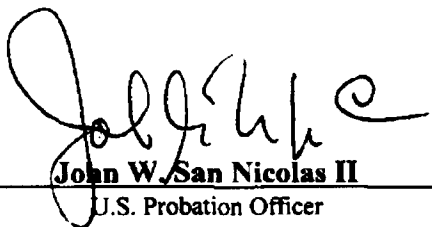
### Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. That the defendant agrees to extend her term of probation for a period of one (1) year, or until the balance of 102 hours of community service is completed. Upon completion of her community service requirement, the defendant's term of probation shall be terminated.

Witness

  
**John W. San Nicolas II**  
U.S. Probation Officer

Signed

  
**Juliet Macabenta**  
Probationer or Supervised Releasee

03/13/07  
Date